

REMARKS

The Present Invention

The present invention relates to a process for preparing a liquid concentrate for use in the manufacture of plastic parts. Claims 1, 3-6, 8-10, 12-18, 20-22, 24 and 28-29 are currently pending.

Summary of the Office Action

The Office Action rejects claims 1, 6, 12-13, 18 and 24 under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent 5,469,068 (Hotchkiss). The Office Action also rejects claims 2-5, 7, 14-17, 19, 26 and 28 as allegedly obvious under 35 U.S.C. § 103(a) over Hotchkiss in view of U.S. Patent 5,938,080 (Haaser et al.). In addition, the Office Action rejects claims 8-10 and 20-22 as allegedly obvious under § 103(a) over Hotchkiss and Haaser et al. in further view of U.S. Patent 2,848,019 (Corbin et al.). Further, claims 27 and 29-31 have been rejected under § 103(a) as allegedly obvious over Hotchkiss and Haaser et al. in further view of U.S. Patent 5,153,825 (Yauk et al.).

Claims 11, 23 and 32 are objected to as being dependent upon a rejected claim, but would be allowable if rewritten in independent form to include the limitations of the base claim and intervening claims.

Interview Summary

Applicants thank the Examiner for the courtesy extended to their attorney (undersigned) during the telephonic interview held on August 18, 2003.

As indicated in the "Examiner Interview Summary Record," the interview was directed towards discussing proposed claim language which would distinguish over the references cited in the March 12, 2003 Office Action, specifically the Hotchkiss (U.S. Patent 5,468,068) and Haaser et al. (U.S. Patent 5,938,080) references. The outstanding rejections based on anticipation and obviousness were discussed. At the interview, applicants emphasized the arguments reflected in the "Examiner Interview Summary Record". Agreement on the claims was not reached.

Discussion of Claim Amendments

Claim 1 has been amended to include the language of claims 2, 7 and 11 dependent thereon. Claims 2, 7 and 11 have been cancelled in view of this amendment to claim 1. Claims 3, 8 and 12 have been amended to reflect the change in dependency (now dependent

on claim 1). Claim 13 has been amended to include the language of claims 19 and 23 dependent thereon. Claims 19 and 23 have been cancelled in view of this amendment to claim 13. Claim 20 has been amended to reflect the change in dependency (now dependent on claim 1). Claims 26 and 27 have been cancelled. Claim 28 has been amended to include the language of claims 30, 31 and 32 dependent thereon. Claims 30, 31 and 32 have been cancelled in view of this amendment to claim 28. No new matter has been added by way of these claim amendments.

The claim amendments set forth above are made without prejudice to pursue the subject matter of the present invention (for example, as recited in the originally pending claims) in a continuation application.

Discussion of the Anticipation and Obviousness Rejections

While applicants do not concede that the prior art references cited in the Office Action either anticipates or renders obvious the subject matter of the previously pending claims, the claims have been amended to advance prosecution. The Office Action states that claims 11, 23 and 32 would be allowable if rewritten in independent form. Accordingly, independent claim 1 has been amended to recite the language of dependent claims 2, 7 and 11. Similarly, independent claim 13 has been amended to recite the language of dependent claims 19 and 23. Independent claim 28 has been amended to recite the language of dependent claims 30-32.

As suggested by the Office Action, previously pending dependent claims 11, 23 and 32 have been rewritten in independent form as amended claims 1, 13 and 28. Thus, amended claims 1, 13 and 28 are drawn to subject matter that was acknowledged by the Office Action as avoiding the cited prior art. Consistent with these amendments, dependent claims 2, 7, 11, 19, 23 and 30-32 have been cancelled. Further, claims 26 and 27 have been cancelled. The remaining pending claims 3-6, 8-10, 12, 14-18, 20-22, 24 and 29 are all dependent on one of the amended independent claims 1, 13 or 28. Accordingly, the § 102(b) anticipation and § 103(a) obviousness rejections set forth in the Office Action should be withdrawn.

In re Appln. of Cosman et al.
Application No. 09/884,551

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



Steven H. Sklar, Reg. No. 42,154
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

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Amendment or ROA - Regular (Revised 7/29/03)